

PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN (HANOVER CO DPU/
TOTOPOTOMOY WWTP PROJECT)03-00471-4

Comment Period: January 6, 2003 to March 6, 2003

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), and Section 404 of the Clean Water Act (33 USC 1344) as described below:

APPLICANT: Hanover County Dept. of Public Utilities
c/o Mr. Frank W. Harksen, Jr., Director
P.O. Box 470
Hanover, VA 23069

LOCATION: Totopotomoy Creek and adjacent wetlands, Pamunkey River, and Beaverdam Creek and adjacent wetlands, in Hanover County, Virginia

PROJECT HISTORY: The U.S. Army Corps of Engineers, Norfolk District has twice considered applications for impacts associated with the construction of the Totopotomoy Wastewater Treatment Plant (WWTP) project which is the subject of this application. On both occasions, in decisions dated June 7, 2000 and April 4, 2002, the Norfolk District determined that the proposed actions qualified for authorization under the Corps' Nationwide Permit (NWP) program. These verifications were challenged and subsequently vacated by decisions of the United States District Court for the Eastern District of Virginia, Richmond Division, on August 14, 2000 and August 7, 2002, respectively. The Court's August 7, 2002 Order remanded for further proceedings to a different Corps of Engineers District. The Baltimore District has been delegated this responsibility by the Corps of Engineers, North Atlantic Division. In accordance with the Court's August 7, 2002 Order, the Corps of Engineers has been directed to consider Hanover County's November 16, 2001 application as a request for Individual Permit authorization, and this Public Notice has been prepared in accordance with 33 CFR 325.3 as part of this evaluation. The application considered herein is the same as the November 16, 2001 application except it has been updated to reflect the applicant's current plan for the impact formerly intended to serve as the WWTP influent pump station.

WORK: The project consists of four major components: a sewage pump station and force main, a WWTP, a discharge force main, and a reaeration structure and discharge diffuser.

The Lee Davis Road Pump Station is proposed to be located in uplands adjacent to an existing 24-inch sewer line. The proposal is to construct a 24-inch diversion structure manhole within the existing 25-foot sanitary sewer easement, to construct 80 feet of 24-inch gravity sewer line from the diversion structure across Beaverdam Creek to the pump station, and to construct a 16-inch force main extending 60 feet from the pump station running

parallel to the new sewer line crossing Beaverdam Creek and then for another 100 feet within the existing easement parallel to the existing sewer line to Lee Davis Road. The remaining 4.2 miles of force main to the proposed treatment plant will be constructed in uplands requiring no Department of the Army authorization. The diversion structure will permanently impact 30 sq. ft. of wetlands and the gravity sewer and force main will temporarily impact approximately 5,600 sq. ft. of wetlands. The temporary wetland and stream impacts from the pipe installation are to be restored to pre-construction grades and wetland vegetation allowed to re-establish.

The proposed Totopotomoy WWTP is located on a 128-acre site at the end of Pole Green Park Lane, off of Pole Green Road, adjacent to Totopotomoy Creek. The proposed WWTP, as originally authorized by the Norfolk District under the NWP program on June 7, 2000, is to impact 0.13 ac. of forested wetland and 0.02 ac. (239 lin. ft.) of intermittent stream for the construction of an influent pump station and drainage improvements, and a total of 0.01 ac. of wetlands and ephemeral stream (50 lin. ft.) for a future biological treatment tank. These impacts were completed in October 2000 prior to NWPs being invalidated under an order of the U.S. District Court, Richmond Division. Subsequent to this verification under the NWP, the County replaced the previously proposed Totopotomoy interceptor, which was the original source of wastewater for treatment at the proposed WWTP, with the currently proposed Lee Davis Road Pump Station. The primary function of the influent pump station was to receive and hold the wastewater from the interceptor. Although the County has abandoned the influent pump station and will be filling it in to four feet below the existing grade, the 0.15 acre impact is still necessary for drainage improvements.

The 36-inch diameter discharge force main intended to carry the treated effluent from the WWTP to the proposed discharge structure has been constructed. Although the discharge force main crosses five jurisdictional areas, the crossings were accomplished by directional boring, and impacts to waters of the United States were avoided.

The discharge structure has not yet been constructed and consists of a cascade aerator and a 36-inch diameter discharge pipe with four 18-inch riser diffusers. The pipe with diffusers is to be installed in a trench in the bottom of the Pamunkey River, impacting 207 sq. ft. of river bottom and extending channelward approximately 65 lin. ft. from the ordinary high water line. The river bottom is to be restored to pre-construction elevations except that the four riser diffusers will protrude from the river bottom approximately 18 inches. As part of restoring the slope and part of the outfall construction, the lower slope of the disturbed bank along approximately 20 feet of shoreline, from just above the ordinary high water line (at the approximate 10-foot elevation) down to the base of the bank, will be stabilized with riprap. The discharge structure is designed for a minimum average capacity of 15 mgd, but will have a daily discharge rate of 10 mgd.

Suitable compensatory mitigation is normally required by the Corps of Engineers for authorized, permanent impacts to waters of the United States. As required by Norfolk District's April 4, 2002 NWP verification, the County has made an in-lieu fee contribution of \$42,759 to the Virginia Wetlands Restoration Trust Fund to compensate for all previously authorized, permanent non-tidal wetland and stream impacts, at a compensation ratio of 2:1 for forested wetland impacts, 1.5:1 for scrub-shrub wetland impacts, and 1:1 for stream impacts.

All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Ms. Abbie Hopkins of the Corps of Engineers, Baltimore District at (410) 962-6080.

PURPOSE: The applicant's purpose is to provide additional wastewater treatment capacity so that it may implement the County's adopted comprehensive plan for "Smart Growth", limiting high density, suburban-style growth to a small portion of the County, the Suburban Service Area, allowing the preservation of the rural character of the remainder of the County.

PUBLIC HEARING: A public hearing has been scheduled for Wednesday, February 5, 2003 from 7:00 to 9:30 p.m. at Atlee High School, 9414 Atlee Station Road, Mechanicsville, Virginia, in the auditorium. Prior to the public hearing, from 6:00 to 7:00, the public will have an opportunity to review exhibits and ask general questions of representatives from the Corps and County to familiarize themselves with the project. The purpose of the hearing is for the Baltimore District to receive oral or written comments that will enable it to evaluate the impacts of the proposed project on the public interest. All interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are invited to be present or to be represented. Each will be given an opportunity to express their views regarding the proposed project. Each person wishing to make an oral statement is asked to complete a speaker's card as he or she enters the auditorium. To be included in the official record, written comments and information provided by interested parties must be received by the Baltimore District by the closing date of the notice's comment period, March 6, 2003, to receive consideration. The mailing address is U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715.

REVIEW PROCESS: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Baltimore District is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed project. Any comments received will be considered by the District to determine whether to issue, modify, condition or deny a permit for this proposal. Authorization for this project may be an individual permit or the Baltimore District may consider that the project is eligible for authorization under the NWP program as published in the Federal Register (67 FR 2020, 67 FR 6692, and 67 FR 8579) and in accordance with our regulations, 33 CFR 330, dated November 22, 1991. The specific NWPs that may be considered to authorize this project are NWPs No. 7 for Outfall Structures and Maintenance, No. 12 for Utility Line Activities, No. 18 for Minor Discharges, and/or No. 39 for Residential, Commercial, and Institutional Developments.

As expressly directed in the Order of the United States District Court for the Eastern District of Virginia, Richmond Division, dated August 7, 2002, comment is requested, and the Corps will consider comments on: (a) whether the proposed actions are eligible for verification under the NWP, and (b) whether the application constitutes a single and complete project within the meaning of 33 CFR 330.2(i) or 33 CFR 325.1(d)(2). Comments will be used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above, as well as the overall public interest of the proposed activity. Comments will also be used to prepare an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act if this application is reviewed as an individual permit.

The applicant is also required to obtain a water quality certification (WQC) in accordance with Section 401 of the Clean Water Act from the Virginia Department of Environmental Quality assuring that applicable laws and regulations pertaining to water quality are not violated. The State of Virginia has issued the State's VPDES permit and 401 Water WQC for this project as proposed in the applicant's November 16, 2001 application.

For compliance with the Coastal Zone Management Act of 1972, as amended, the

applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.state.va.us.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. In response to Norfolk District's evaluation of this application for all the project components that require Department of the Army authorization, the U.S. Fish and Wildlife Service stated that (1) appropriate habitat for the dwarf wedge mussel does not occur at the project site and (2) the small whorled pogonia does not occur at the project site and therefore, none of the components of the project are likely to adversely affect either of these species. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The Virginia Department of Historic Resources (VDHR) has stated that this project, as presented in the November 16, 2001 application, will have no adverse effect on any historic resources that are listed or eligible for listing in the National Register of Historic Places. Any other changes that may be made to this project as a result of this evaluation will be coordinated with VDHR to determine any possible effects. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

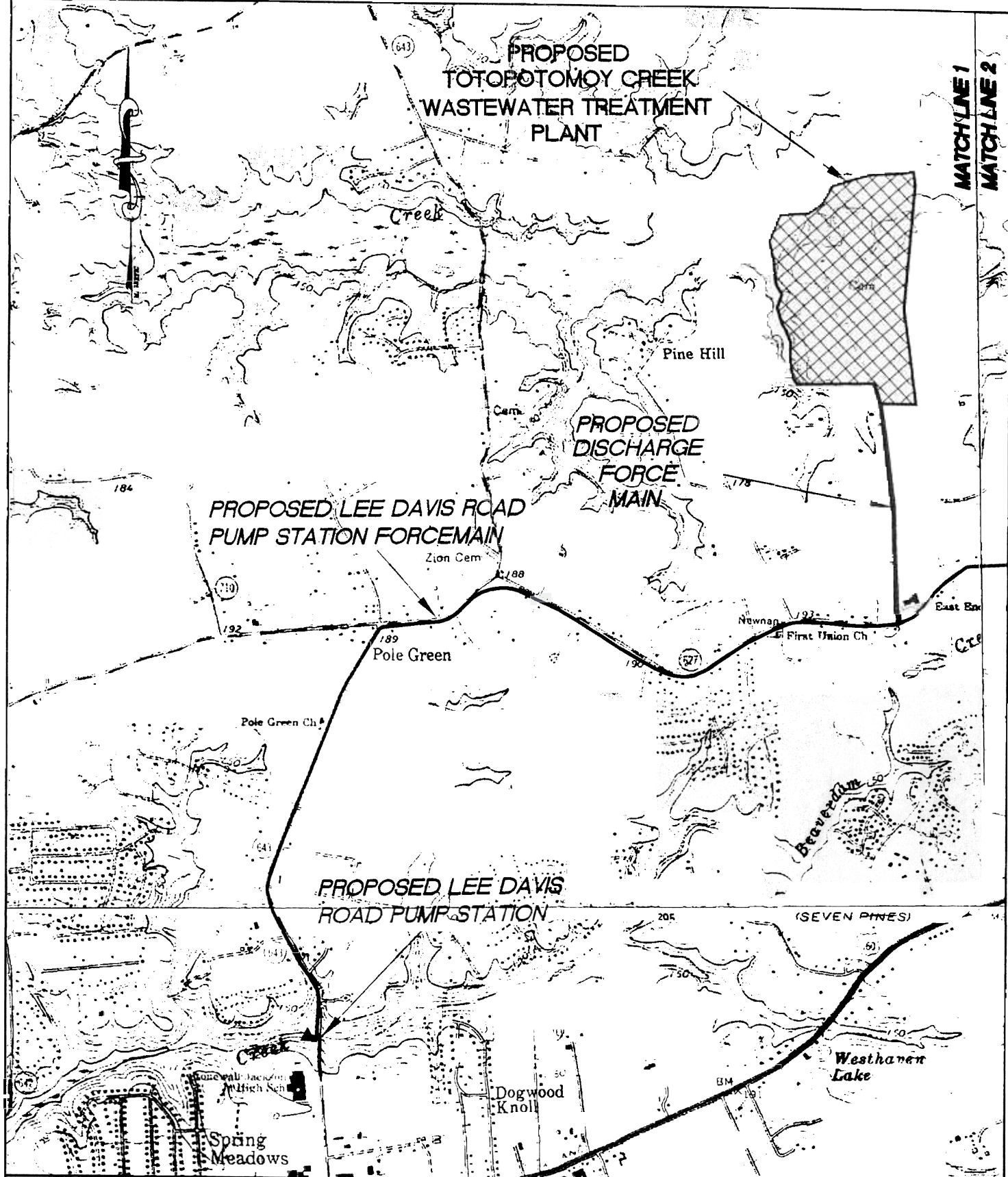
Any written comments must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period specified above to receive consideration.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

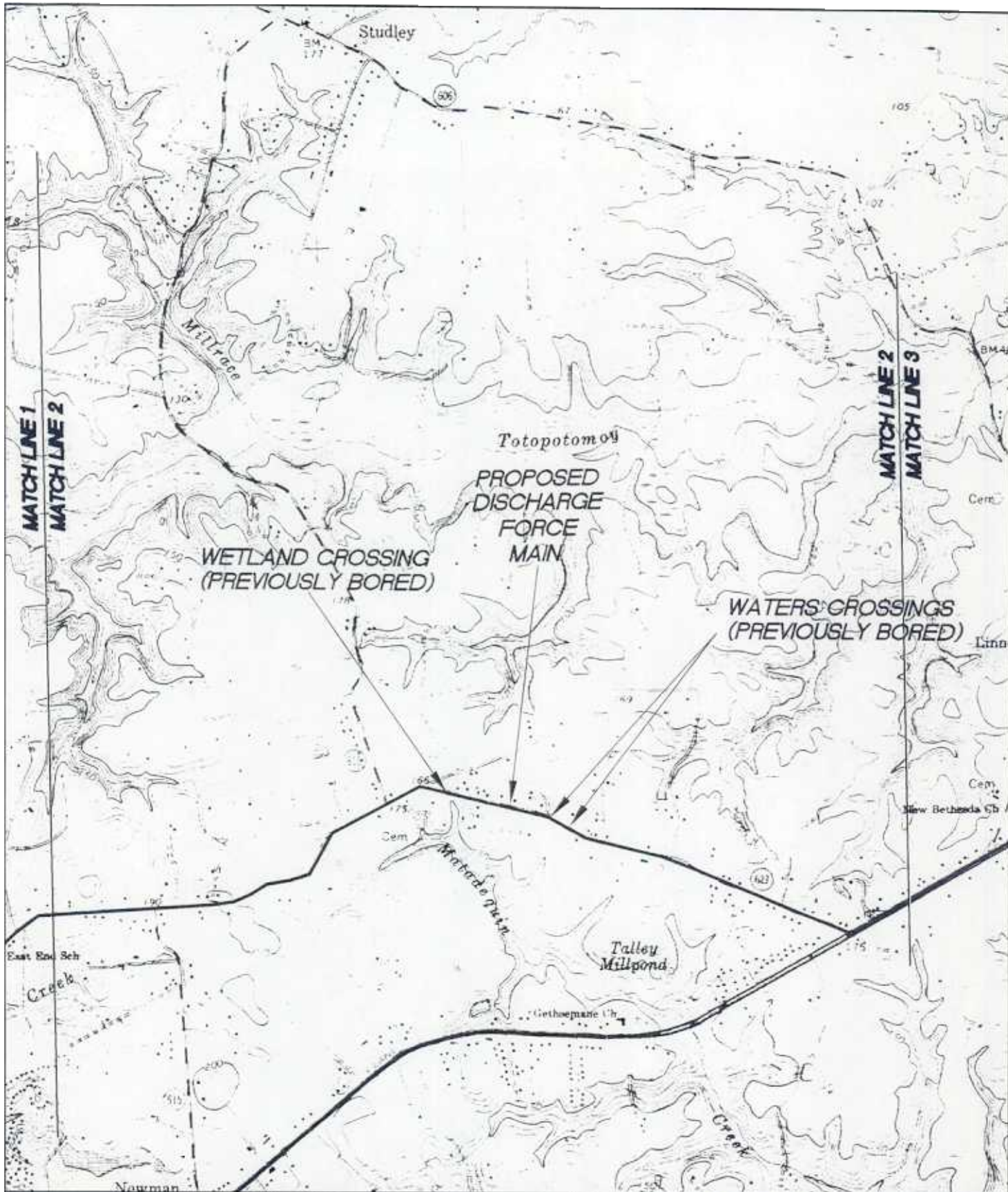
A handwritten signature in cursive script, reading "Linda A. Morrison".

LINDA A. MORRISON
Chief, Regulatory Branch



VICINITY MAP
TOTOPOTOMOY WASTEWATER TREATMENT PLANT
LAT: 37° 38' 19"
LONG: 77° 19' 50"
SCALE: 1" = 2000'
STUDLEY QUADRANGLE
SHEET 1 OF 4

TIMMONS	
ENGINEERS * ARCHITECTS * SURVEYORS	
CORPORATE HEADQUARTERS	
711 N. COURTHOUSE ROAD	
RICHMOND, VIRGINIA 23236-4099	
TELEPHONE: (804) 794-3500	FAX: (804) 794-7639



VICINITY MAP
 TOTOPOTOMOY WASTEWATER TREATMENT PLANT
 LAT: 37° 39' 13"
 LONG: 77° 14' 4"
 SCALE: 1" = 2000'
 STUDLEY QUADRANGLE
 SHEET 2 OF 4

TIMMONS

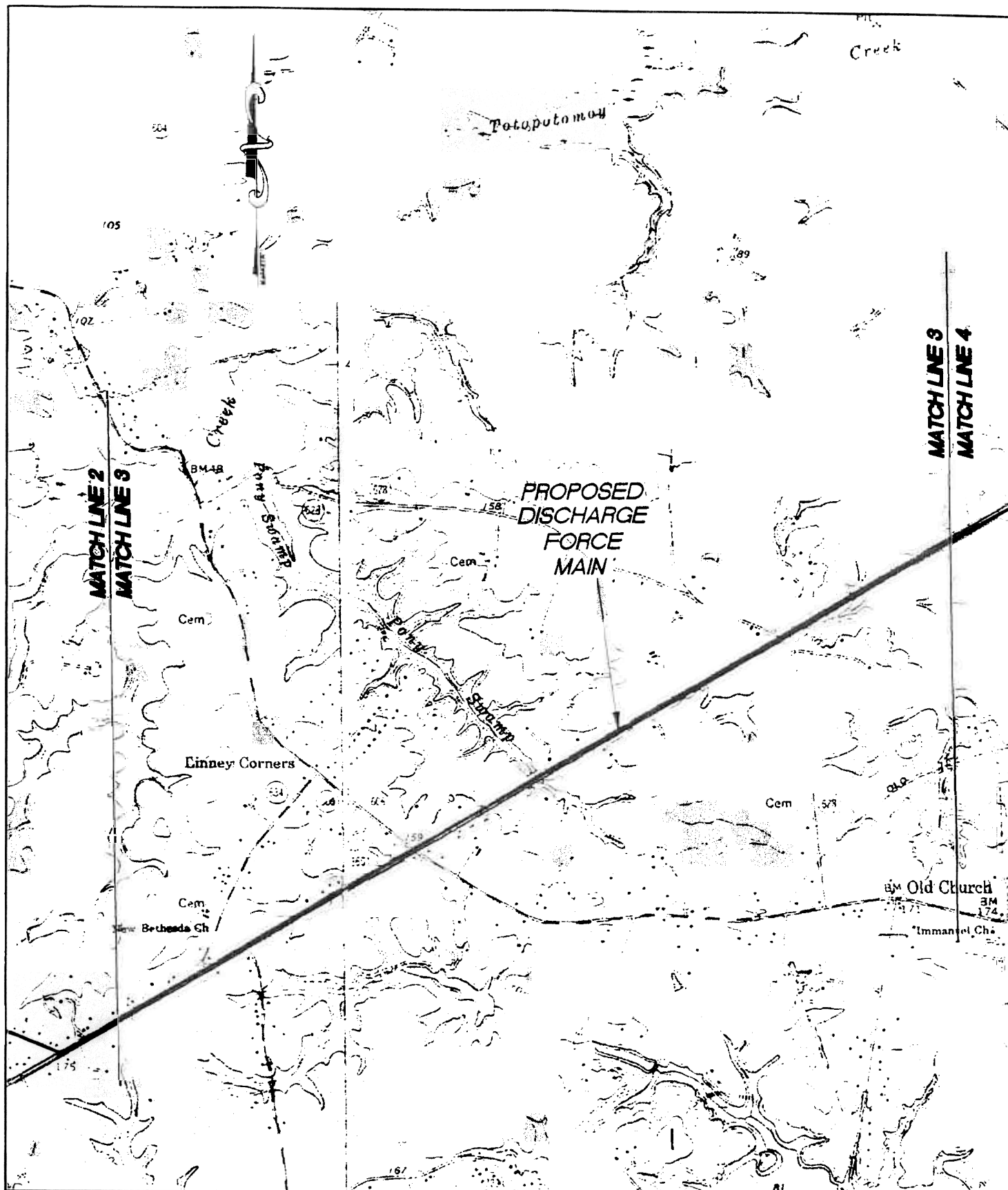
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CORPORATE HEADQUARTERS

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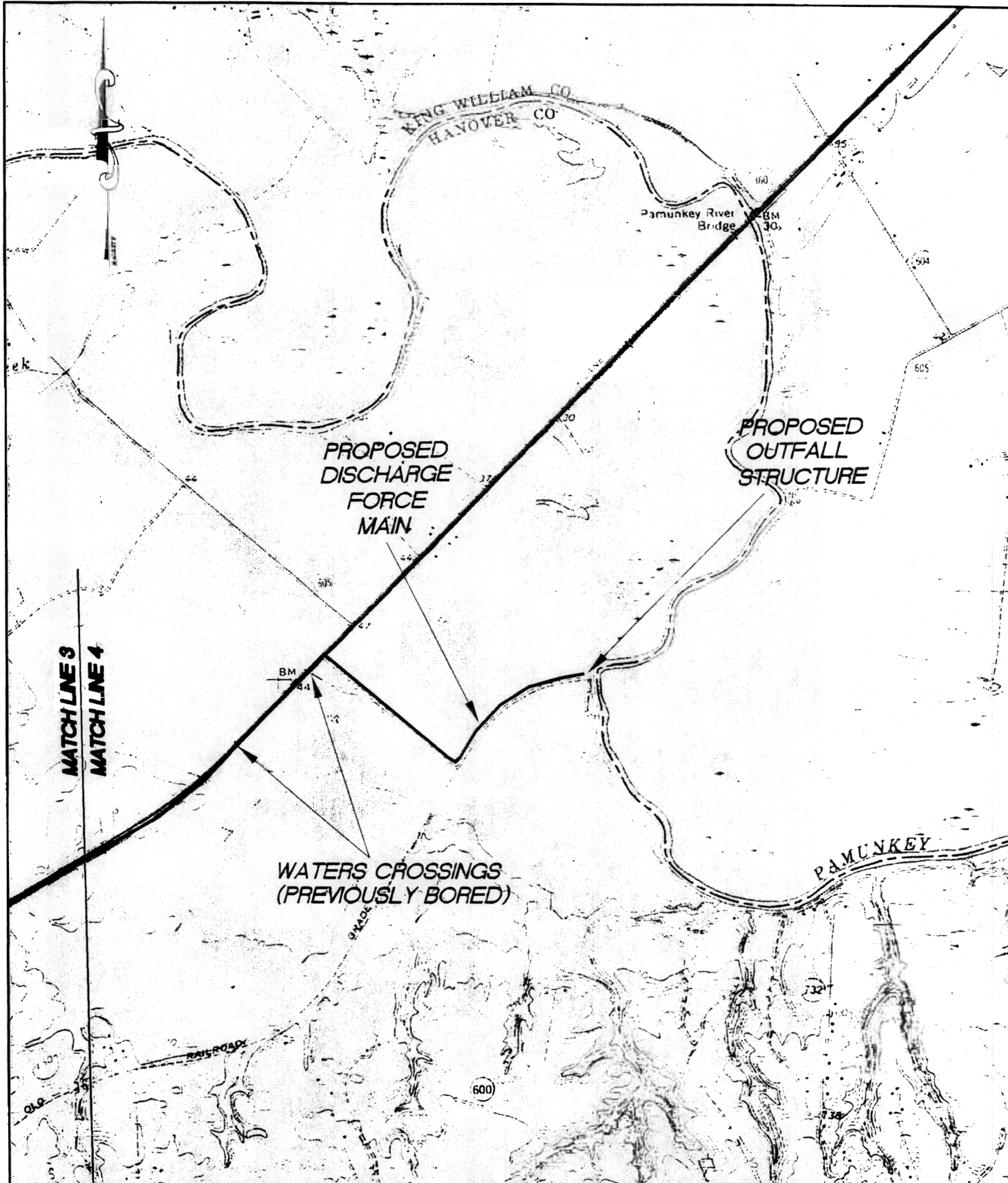
RICHMOND, VIRGINIA 23236-4099

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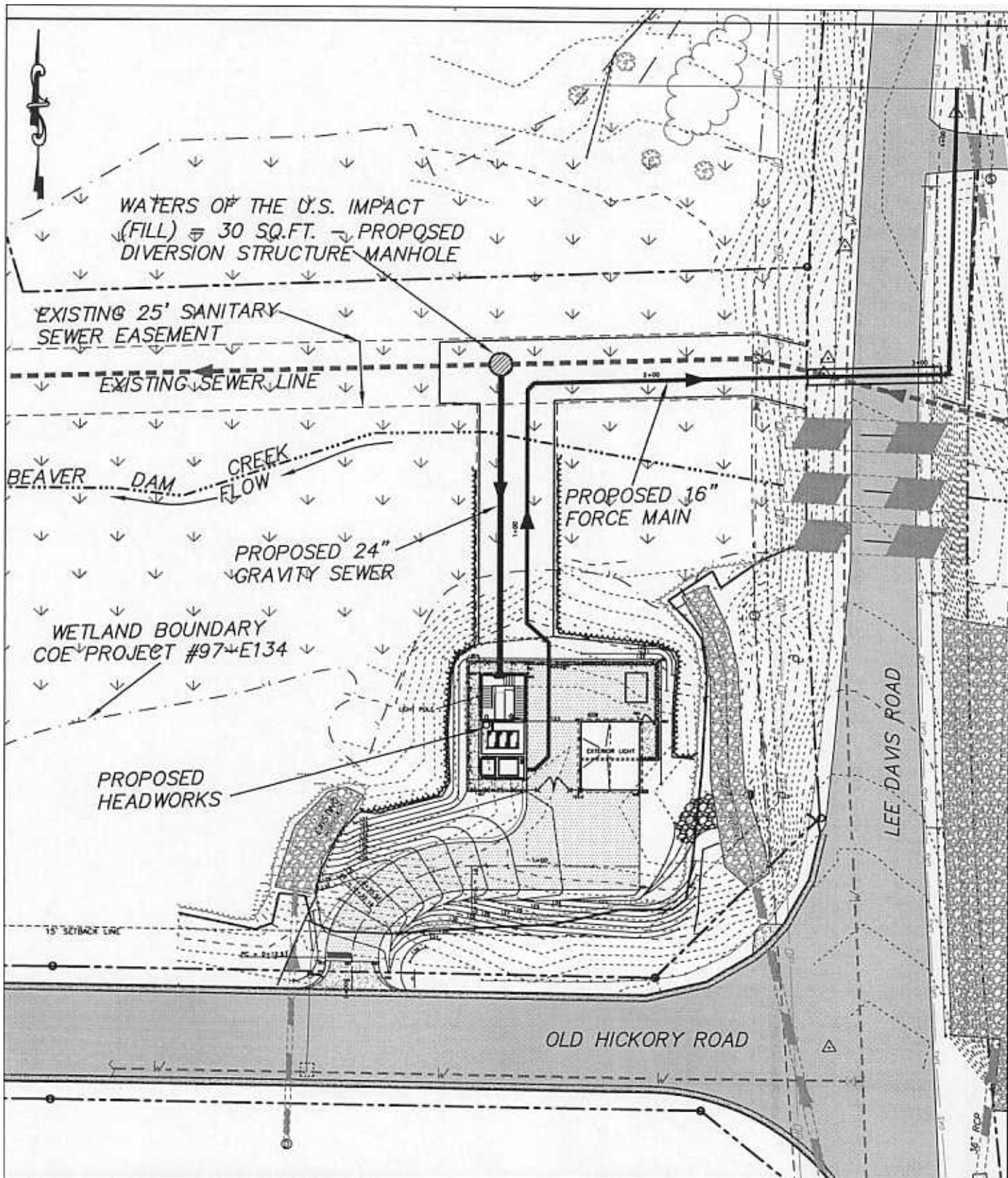
VICINITY MAP
 TOTOPOTOMOY WASTEWATER TREATMENT PLANT
 LAT: 37° 38' 54"
 LONG: 77° 13' 38"
 SCALE: 1" = 2000'
 MANQUIN QUADRANGLE
 SHEET 3 OF 4

TIMMONS



VICINITY MAP
TOTOPOTOMOY WASTEWATER TREATMENT PLANT
LAT: 37° 40' 9"
LONG: 77° 12' 1"
SCALE: 1" = 2000'
MANQUIN QUADRANGLE
SHEET 4 OF 4

TIMMONS



TIMMONS

* CIVIL ENGINEERS *

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711 N. COURTHOUSE ROAD
RICHMOND, VIRGINIA 23236-4099
TELEPHONE: (804) 794-3500
FAX: (804) 794-7839

LEE DAVIS PUMP STATION FORCE MAIN - BEAVERDAM CREEK CROSSING
PLAN VIEW

HANOVER COUNTY, VIRGINIA

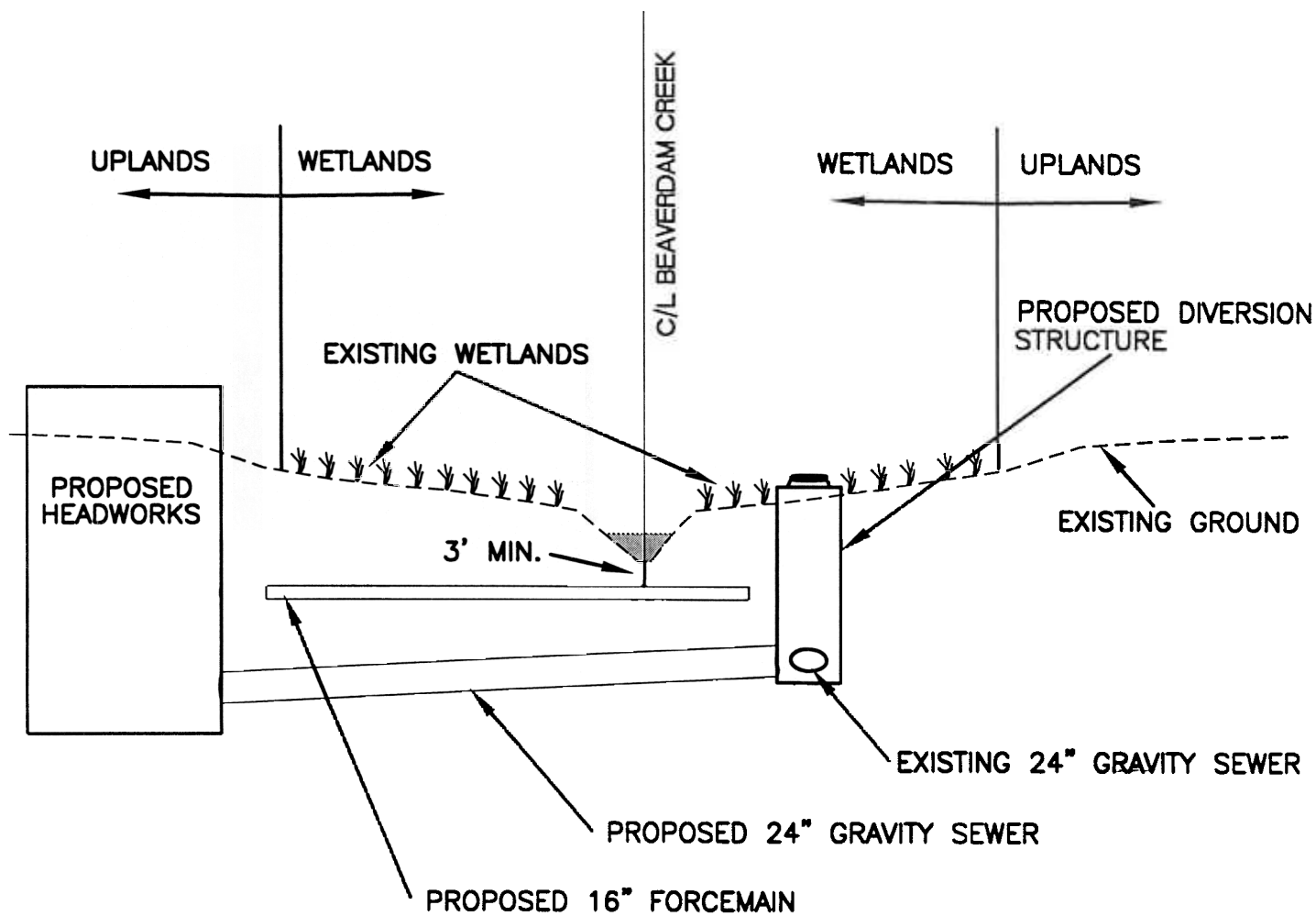
DATE: 12/19/02

SCALE: 1" = 50'


DRAWN BY: D.ARRINGTON

SHEET 1 OF 6

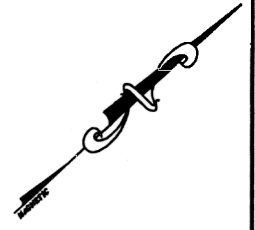
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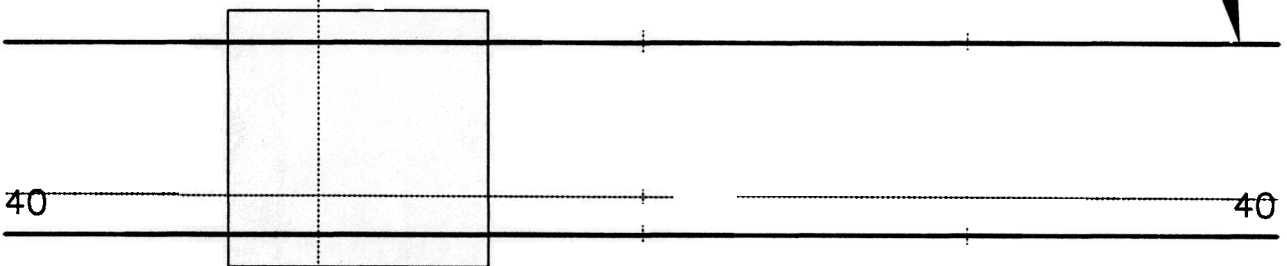
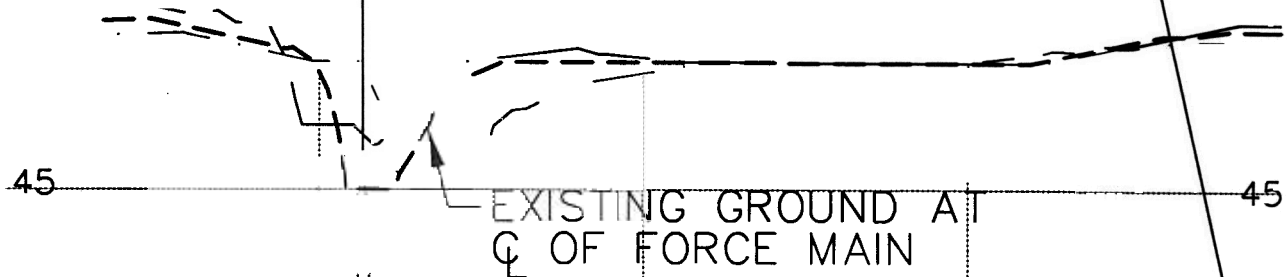
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	CIVIL ENGINEERS
CORPORATE HEADQUARTERS 711 N. COURTHOUSE ROAD RICHMOND, VIRGINIA 23236-4099 TELEPHONE: (804) 794-3500 FAX: (804) 794-7639	

LEE DAVIS PUMP STATION FORCE MAIN - BEAVERDAM CREEK CROSSING TYPICAL CREEK CROSSING HANOVER COUNTY, VIRGINIA	
DATE: 11/13/01	SHEET 2 OF 6
SCALE: NO SCALE	
DRAWN BY: J. BLACKMORE	



24" RCP CULVERT
X IN INV. 38.2±

PROPOSED 36"Ø
FORCE MAIN
(MIN. 3.5' OF COVER)



PROPOSED 40.0' OF
48"Ø CASING PIPE
UNDER 24" RCP

PROFILE VIEW

HORIZONTAL SCALE

1" = 30'

VERTICAL SCALE

1" =

391+00

392



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TELEPHONE: (804) 794-3500
FAX: (804) 794-7639

**DISCHARGE FORCEMAIN
TYPICAL BORING PROFILE**
HANOVER COUNTY, VIRGINIA

DATE: 11/14/01

SCALE: AS NOTED

DRAWN BY: D.ARRINGTON

JN 18078

SHEET 3 OF 6

FRANCES BROADDUS CRUTCHFIELD
1196 HUGUENOT TRAIL
MIDLOTHIAN, VA 23113

HENRY R. BROADDUS
4 WEST WHEELock STREET APT. 7
HANOVER, NEW HAMPSHIRE 03755
GPIN 8766-08-8168



EXISTING GRAVEL
ROAD TO BE RELOCATED

PROPOSED
PROPERTY LINE

FUTURE DISCHARGE
STRUCTURE

EXISTING
30' WIDE
VA. POWER
POLE LINE EASEMENT
D.B.513 PG.503

36" EFFLUENT
FORCE MAIN

NEW FENCE

DISCHARGE STRUCTURE
NEW GRAVEL
ROAD

EDGE OF RIVER BANK

PAMUNKEY RIVER
DISCHARGE STRUCTURE

36" EFFLUENT
ORDINARY HIGH
WATER 10.0' (APPROX.)

EXISTING POWER LINE

FLOW
↓

END RAILROAD CUT

EXISTING
PROPERTY LINE

FRANCES BROADDUS CRUTCHFIELD
1196 HUGUENOT TRAIL
MIDLOTHIAN, VA 23113

HENRY R. BROADDUS
4 WEST WHEELock STREET APT. 7
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CORPORATE HEADQUARTERS
711 N. COURTHOUSE ROAD
RICHMOND, VIRGINIA 23236-4099
TELEPHONE: (804) 794-3500
FAX: (804) 794-7639

PAMUNKEY RIVER - OUTFALL DISCHARGE STRUCTURE
HANOVER COUNTY, VIRGINIA
DISCHARGE STRUCTURE - PLAN VIEW

DATE: 11/07/01

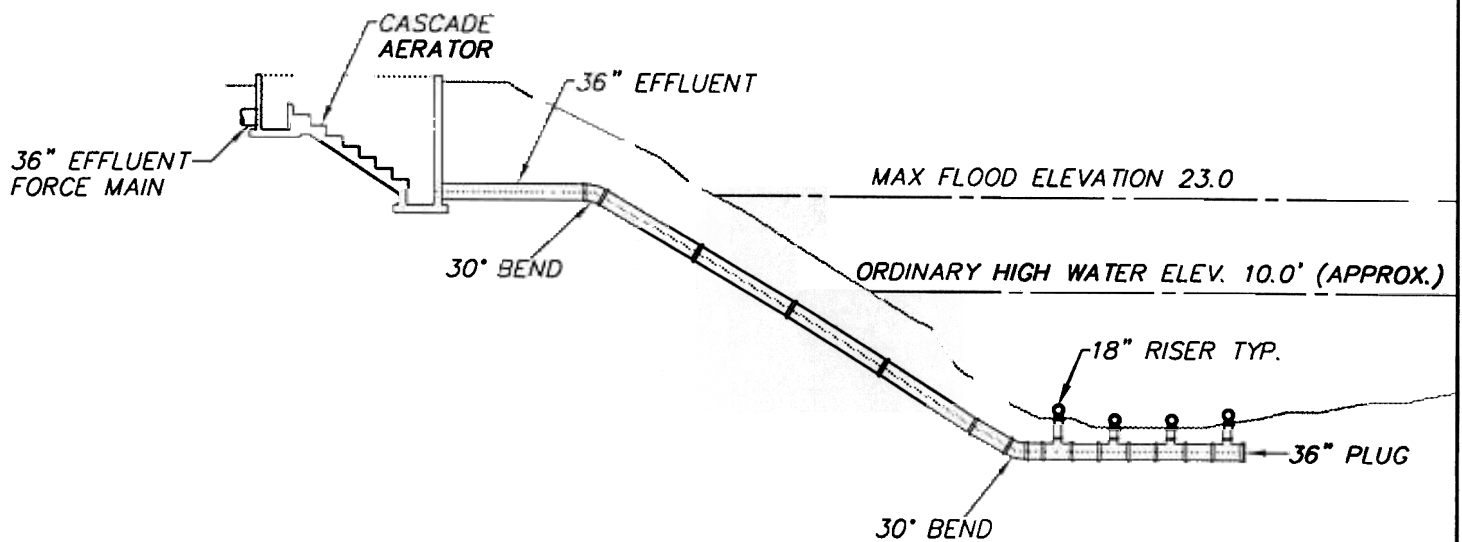
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SHEET 4 OF 6

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CORPORATE HEADQUARTERS

711 N. COURTHOUSE ROAD

RICHMOND, VIRGINIA 23236-4099

TELEPHONE: (804) 794-3500

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PAMUNKEY RIVER - OUTFALL DISCHARGE STRUCTURE

HANOVER COUNTY, VIRGINIA

DISCHARGE STRUCTURE - PROFILE VIEW

DATE: 11/07/01

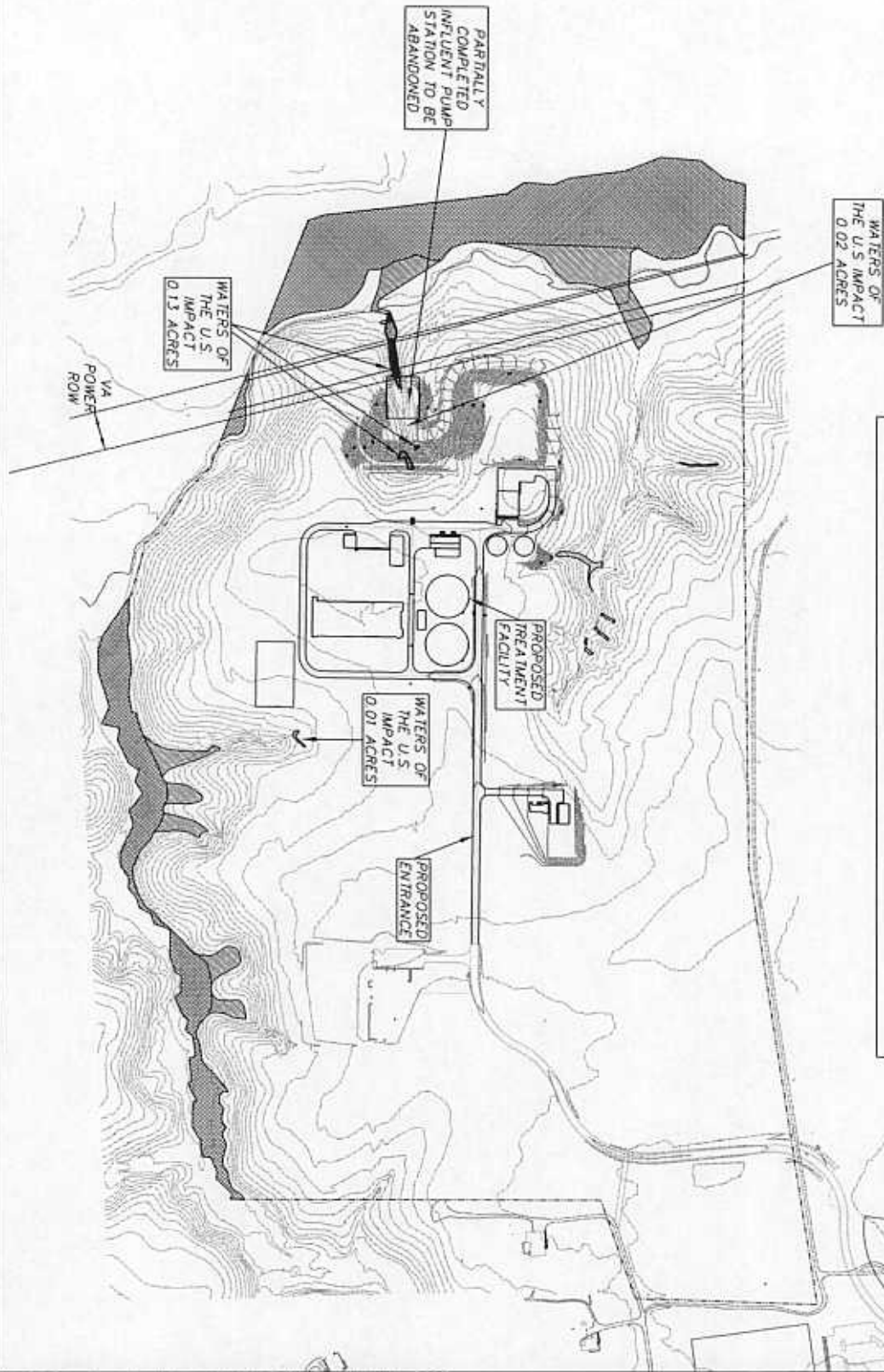
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SHEET 5 OF 6



- NOTES**
1. WETLANDS AND WATER LOCATIONS SHOWN ARE FROM FIELD G.P.S. AS NOTED, AND HAVE BEEN CONFIRMED BY THE U.S. ARMY CORPS OF ENGINEERS ON 10/01/98.
 2. TOPOGRAPHIC INFORMATION BY AERIAL SURVEY.
 3. DENOTES FIELD LOCATED FORESTED WETLANDS
 4. DENOTES APPROXIMATE LOCATION OF FORESTED WETLANDS
 5. DENOTES WATERS OF THE U.S.
 6. TOTAL WETLAND AND WATERS OF THE U.S. IMPACTS: 0.16 ACRES



 TIMMONS • CIVIL ENGINEERS •	TOTOPOTOMOY WASTEWATER TREATMENT PLANT HANOVER COUNTY, VIRGINIA WETLAND IMPACTS MAP	
	DATE: 12/19/02	SHEET 6 OF 6
	SCALE: 1" = 500'	
CORPORATE HEADQUARTERS: 711 N. COURTHOUSE ROAD RICHMOND, VIRGINIA 23236-4099 TELEPHONE: (804) 794-3500 FAX: (804) 794-7639	DRAWN BY: D.ARRINGTON	